

# **EXHIBIT C**

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**Attachments:** 20110413090623798\_20110413\_091437864.pdf; 20110413092840856\_20110413\_093651950.pdf; Scan0001.tiff; Scan0002.tiff

**From:** Dean Boland

**Sent:** Thursday, August 23, 2012 12:42:23 PM (UTC-05:00) Eastern Time (US & Canada)

**To:** Southwell, Alexander H.; Paul Argentieri

**Subject:** Response to your letter regarding additional materials from Item 379

Alex:

In response to your letter, I am including the attached items that were the only other items attached to the April 13th email to which the Kasowitz letter was attached. You have multiple copies of these from past discovery, but now you have the attachments from this email, the Kasowitz Letter and these items yet again.

As your communication relates to any other letters, **REDACTED**  
those items are privileged. Consistent with the court ordered protocol, those items were never presented to us on a relevant materials log from Stroz enabling us to designate them as privileged. If you have information that these were previously listed on a relevant materials log per the court's order, the Electronic Asset Protocol, please advise, provide a copy of that relevant materials log and we will evaluate that. Please also reference the court order that obligated us to produce our own privilege log independent of the court's order **REDACTED** you claim are now non-privileged.

Our designation of the April 13th letter as confidential is proper. Your letter seems intended to circumvent that designation and create a document you can then attach as an exhibit to a future filing leaking to the public the contents of that letter designated as confidential. I would alert you to your obligation to not disclose the contents of that letter by attaching even your own communication, like the letter seeking these items, to a filing circumventing the confidential designation.

You are obviously attempting to create an issue for a future motion to compel despite this letter obviously referencing documents that you have already obtained in discovery. This is despite the fact that you are now aware that the street fax images are frauds, cannot be authenticated and were found on a computer not owned by my client that was riddled with malware including, suspiciously, malware that a hacker, like Mr. Zuckerberg, would insert onto that computer to obtain remote access to it. That remote access, as you know, enables a hacker to place digital images like the Street Fax digital images onto computers precisely as was present in the evidence in this case.

Be sure to redact any references to this confidential information contained in these email correspondences from any future filings.

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Please note, I typically only review my emails once daily. If there is something urgent in any email, please do not hesitate to contact my office at 216-236-8080.